

**Effective 5/12/2015**

**63N-4-202 Definitions.**

As used in this part:

- (1) "Business incubator expense" means an expense relating to funding a program that is:
  - (a) designed to provide business support services and resources to one or more business entities within a project area during the business entities' early stages of development; and
  - (b) determined to be a business incubator by the board.
- (2) "Business rehabilitation expense" means an expense relating to the renovation or rehabilitation of an existing building within a project area as determined by the board.
- (3) "Debt service" means the payment of debt service on a bond issued to pay a:
  - (a) business rehabilitation expense relating to a project; or
  - (b) public infrastructure expense relating to a project.
- (4) "Eligible county" means a county of the third, fourth, fifth, or sixth class.
- (5) "Eligible expense" means an expense:
  - (a) incurred by an eligible county;
  - (b) relating to a project; and
  - (c) that is:
    - (i) a business incubator expense;
    - (ii) debt service; or
    - (iii) a public infrastructure expense.
- (6) "Project" means an economic development project:
  - (a) as determined by the board; and
  - (b) for which an eligible county applies to the board in accordance with this part for a loan or grant to assist the eligible county in paying an eligible expense.
- (7) "Project area" means the geographic area within which a project is implemented by an eligible county.
- (8) "Public infrastructure expense" means an expense relating to a publicly owned improvement located within a project area if:
  - (a) the expense is:
    - (i) incurred for:
      - (A) construction;
      - (B) demolition;
      - (C) design;
      - (D) engineering;
      - (E) an environmental impact study;
      - (F) environmental remediation; or
      - (G) rehabilitation; or
    - (ii) similar to an expense described in Subsection (8)(a)(i) as determined by the board; and
  - (b) the publicly owned improvement is:
    - (i) not a building as determined by the board; and
    - (ii) necessary to support a project as determined by the board.
- (9) "Publicly owned improvement" means an improvement to real property if:
  - (a) the real property is owned by:
    - (i) the United States;
    - (ii) the state; or
    - (iii) a political subdivision:
      - (A) as defined in Section 17B-1-102; and
      - (B) of the state; and

(b) the improvement relates to:

- (i) a sewage system including a system for collection, transport, storage, treatment, dispersal, effluent use, or discharge;
- (ii) a drainage or flood control system, including a system for collection, transport, diversion, storage, detention, retention, dispersal, use, or discharge;
- (iii) a water system including a system for production, collection, storage, treatment, transport, delivery, connection, or dispersal;
- (iv) a highway, street, or road system for vehicular use for travel, ingress, or egress;
- (v) a rail transportation system;
- (vi) a system for pedestrian use for travel, ingress, or egress;
- (vii) a public utility system including a system for electricity, gas, or telecommunications; or
- (viii) a system or device that is similar to a system or device described in Subsections (9)(b)(i) through (vii) as determined by the board.

Renumbered and Amended by Chapter 283, 2015 General Session